IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI,THE ACTING CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 14871 of 2005

Between:

1 B.M. Divakar, S/o. B. Manohar,
R/o. 8/273/1, Kothapet,

Srikalahasthi, Chittoor District.
2 B.M. Sudhakar, S/o. B. Manohar,
R/o. 8/273/1, Kothapet,

Srikalahasthi, Chittoor District.

..... PETITIONERS

AND

1 The Station House Officer,

Srikalahasthi Urban Police Station,
Srikalahasthi, Chittoor District.
2 The Circle Inspector of Police,

Srikalahasthi Urban Police Station,
Srikalahasthi, Chittoor District.
3 The Deputy Superintendent of Police,
Srikalahasthi, Chittoor District.
4 The Superintendent of Police,

Chittoor, Chittoor District.
5 The Secretary for Home,

Government of Andhra Pradesh,

Secretariat, Hyderabad.
6 E. Bhaskar, S/o. L. Elumalai Chettiar,
R/o. No. 60, Venkatachala Mudali Street,

Choolai, Chennai - 112.
7 E. Ratna Sabhapathi, S/o. L. Elumalai Chettiar,
R/o. No. 60, Venkatachala Mudali Street,

Choolai, Chennai - 112.
8 E. Gopi, S/o. L. Elumalai Chettiar,
R/o. No. 60, Venkatachala Mudali Street,

Choolai, Chennai - 112.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Habeas Corpus declaring the inaction of the respondents in not registering and investigating into the Report dt. 4-7-2005 as illegal, arbitrary, and violative of Article 14, 19(d) and 21 of the Constitution of India and consequently direct the respondents 1 to 5 to produce the detune forthwith by name B.M. Ambika, W/o. B. Manohar R/o. 8/273/1, Kothapet, Srikalahasthi, Chittoor District before this Hon'ble Court and set her at liberty and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.MASTHAN NAIDU CHERUKURI

Counsel for the Respondent Nos.1 to 5: THE ADVOCATE GENERAL

Counsel for the Respondent Nos.6 to 8: None appeared.

The Court made the following :

ORDER:

Petitioners filed this writ petition for production of their mother Smt.B.M.Ambika stating that she is in wrongful confinement.

Smt.B.M.Ambika is present in the Court. We have recorded her statement. She states that she has severed her relations with her husband for the last ten years, and she does not want to live with her husband or her sons. She refused even to talk to them in the Court. She submitted that she has some property, therefore, these persons are after her. She wants to live with her brothers, with whom she is living out of her own free will.

In these circumstances, the writ petition is dismissed.

(Bilal Nazki, A.C.J)

(G.Chandraiah, J)

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Copy to:

1 The Station House Officer,

Srikalahasthi Urban Police Station,
Srikalahasthi, Chittoor District.

2 The Circle Inspector of Police,

Srikalahasthi Urban Police Station,
Srikalahasthi, Chittoor District.

3 The Deputy Superintendent of Police,
Srikalahasthi, Chittoor District.

4 The Superintendent of Police,

Chittoor, Chittoor District.

5 The Secretary for Home,

Government of Andhra Pradesh,

Secretariat, Hyderabad.
6 Two CCS to the Advocate-General,

High Court Buildings, High Court of A.P.,

Hyderabad. (O.U.T.)

7 Two CD copies.